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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rodriguez et al.

Application No.: 09/924,222

Group Art Unit: 1615

Filed: August 7, 2001

Examiner: To be Assigned

For: LIPOSOMAL COMPOSITIONS AND  
METHODS OF USING LIPOSOMAL  
COMPOSITIONS TO TREAT DISLIPIDEMIAS

Attorney Docket No.: 10173-073

**REVOCATION AND POWER OF ATTORNEY BY  
ASSIGNEES AND EXCLUSION OF INVENTORS UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignees of the entire interest in, to and under the invention described and claimed in the above-identified patent application hereby revoke all previous powers of attorney and appoint: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with

## POWER OF ATTORNEY

the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

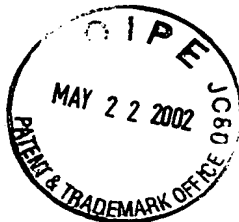
Pursuant to 37 C.F.R. § 3.73(b) Esperion LUV Development, Inc. and The University of British Columbia state that they are the assignees of the entire right, title, and interest in the above-identified patent application by virtue of an assignment(s) and/or other documentary evidence of a chain of title from the original owner(s) to Esperion LUV Development, Inc. and The University of British Columbia previously submitted in the above-identified patent application and/or attached hereto as Exhibit A.

Please direct all correspondence for this application to customer no. 20583.

The undersigned individuals (each of whose title is supplied below) are authorized to act on behalf of each respective assignee.

ASSIGNEE: Esperion LUV Development, Inc.  
Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Address: 3621 South State Street  
Ann Arbor, Michigan 48108  
\_\_\_\_\_

ASSIGNEE: The University of British Columbia  
Date: May 10/02 Signature: David P. Jones  
Name: David P. Jones  
Position/Title: Associate Director  
Industry Liaison  
Address: IRC 331-2194 Health Sciences Mall  
Vancouver, British Columbia  
Canada, V6T 1Z3



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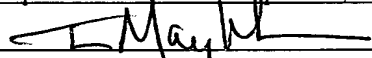
POWER OF ATTORNEY

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Please direct all correspondence for this application to customer no. 20583.

The undersigned individuals (each of whose title is supplied below) are authorized to act on behalf of each respective assignee.

Date:	<u>May 17, 2002</u>	ASSIGNEE:	<u>Esperion LUV Development, Inc.</u>
		Signature:	<u></u>
		Name:	<u>Jim Maylebon</u>
		Position/Title:	<u>Vice President</u>
		Address:	<u>3621 South State Street</u>
			<u>Ann Arbor, Michigan 48108</u>
			<u></u>
Date:	<u></u>	ASSIGNEE:	<u>The University of British Columbia</u>
		Signature:	<u></u>
		Name:	<u></u>
		Position/Title:	<u></u>
		Address:	<u></u>
			<u>Vancouver, British Columbia</u>
			<u>Canada, V6T 1Z3</u>

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The "Received" stamp of the Patent Office imprinted hereon acknowledges the filing of:

Applicants: Wendi V. Rodriguez, Kevin Jon Williams, and Michael J. Hope

Serial & Docket Nos.: 09/924,222

ESPN 2004

Filed: August 7, 2001

Papers Submitted:

(1) Form PTO-1619A-B, Recordation Form Cover Sheet; original executed Assignment from Wendi V. Rodriguez and Michael J. Hope to The University of British Columbia;

(2) Form PTO-1619A-B, Recordation Form Cover Sheet; original executed Assignment from Kevin Jon Williams to Esperion LUV Development, Inc.;

and check for \$80.00

Date: March 18, 2002

By: Patrea L. Pabst, Reg. No. 31,284

ATLJ #514466.v1

Client/Matter No.: 078231/00051

Docketed for \_\_\_\_\_  
By: JS  
Date: 04-9-02

FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027



23579

PATENT & TRADEMARK OFFICE



U.S. Department of Commerce  
Patent and Trademark Office  
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- ☐ **R submission (Non-Recordation)**  
Document ID#
- ☐ **Correction of PTO Error**  
Reel #  Frame #
- ☐ **Corrective Document**  
Reel #  Frame #

### Conveyance Type

- ☒ **Assignment** ☐ **Security Agreement**
- ☐ **License** ☐ **Change of Name**
- ☐ **Merger** ☐ **Other**
- U.S. Government**  
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- ☐ **Departmental File** ☐ **Secret File**

### Conveying Party(ies)

- ☐ Mark if additional names of conveying parties attached
- Name (line 1)  Execution Date Month Day Year
- Name (line 2)

### Second Party

- Name (line 1)  Execution Date Month Day Year
- Name (line 2)

### Receiving Party

- ☐ Mark if additional names of receiving parties attached

- Name (line 1)
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City State/Country Zip Code
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### Domestic Representative Name and Address

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Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

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**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:  
Deposit Account

Enclosed ☒

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

☒

No

☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Patrea L. Pabst

Name of Person Signing

Reg. No.: 31,284

Signature

Date

3/18/2000

## ASSIGNMENT

We, Wendi V. Rodriguez of 2148 Vail Court, Ann Arbor, Michigan 48108, and Michael J. Hope of 3550 West 11th Avenue, Vancouver, British Columbia V6R 2K2 CANADA, in consideration of ten dollars and other valuable consideration paid to us by The University of British Columbia, a university of CANADA, having its principal place of business at 2194 Health Sciences Mall, Vancouver, British Columbia V6T 1Z3 CANADA, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said The University of British Columbia (the "University"), its successors and assigns, our undivided joint interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Liposomal Compositions, and Methods of Using Liposomal Compositions to Treat Dislipidemias*" described in U.S. Serial No. 09/924,222 filed in the United States Patent and Trademark Office on August 7, 2001, by Wendi V. Rodriguez, Kevin Jon Williams, and Michael J. Hope, which is a continuation-in-part of U.S. Serial No. 09/322,336 filed in the United States Patent and Trademark Office on May 28, 1999, which is a continuation of U.S. Serial No. 09/175,553 filed October 20, 1998, now U.S. Patent No. 6,139,871, which is a continuation of U.S. Serial No. 08/507,170 filed July 26, 1995, now abandoned, which is a continuation of U.S. Serial No. 08/206,415 filed March 4, 1994, now abandoned; and which is also a continuation-in-part of U.S. Serial No. 09/071,974 filed May 4, 1998, which is a divisional of U.S. Serial No. 08/728,766 filed in the United States Patent and Trademark Office on October 11, 1996, now U.S. Patent No. 5,746,223, which claims priority to U.S. Provisional Application Serial No. 60/005,090 filed in the United States Patent and Trademark Office on October 11, 1995, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said University and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said University, with specifications and claims in such form as shall be approved by the counsel of said University, and to vest and confirm in said University, its successors and assigns, the legal title to all such patents.



Title: "Liposomal Compositions, and Methods of Using  
Liposomal Compositions to Treat Dislipidemias"  
By: Wendi V. Rodriguez, Kevin Jon Williams,  
and Michael J. Hope  
U.S.S.N.: 09/924,222  
Filed: August 7, 2001  
ASSIGNMENT

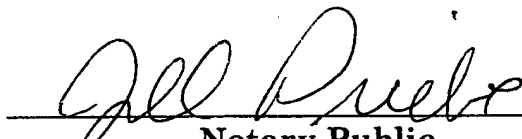
And we do hereby authorize and request the Commissioner of  
Patents and Trademarks of the United States to issue such Letters Patent  
as shall be granted upon said application or applications based thereon to  
said University, its successors and assigns.

WITNESS my hand and seal this 27th day of September,  
2001.

  
\_\_\_\_\_  
Wendi V. Rodriguez

State of Michigan )  
County of Washtenaw )

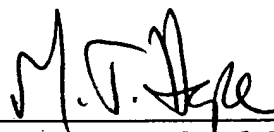
Then personally appeared the above named Wendi V. Rodriguez  
and acknowledged the foregoing instrument to be her free act and deed,  
before me this 27th day of September, 2001.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 10/07/05

Title: "Liposomal Compositions, and Methods of Using  
Liposomal Compositions to Treat Dislipidemias"  
By: Wendi V. Rodriguez, Kevin Jon Williams,  
and Michael J. Hope  
U.S.S.N.: 09/924,222  
Filed: August 7, 2001  
ASSIGNMENT

WITNESS my hand and seal this 19<sup>th</sup> day of October, 2001,  
2001.



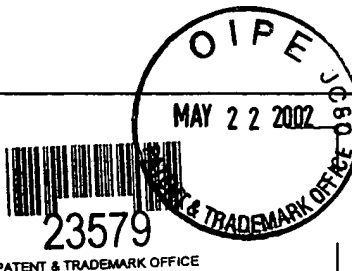
Michael J. Hope

Witnesses:

1. Signed: L. Ahkang  
Printed Name: LAVAL AHKONG  
Address: Inex Pharmaceuticals.  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Signed: Barbara Mui  
Printed Name: Barbara Mui  
Address: Inex Pharmaceuticals  
\_\_\_\_\_  
\_\_\_\_\_

ATL1 #479708 v1

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PATENTS ONLY

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## Submission Type

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- ☐ R submission (Non-Recordation)  
Document ID#
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Re l #  Frame #

## Conveyance Type

- ☒ Assignment ☐ Security Agreement
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- Execution Date  
Month Day Year
- Nam (line 1)  01282002

Nam (line 2) 

## Second Party

Nam (line 1) Nam (line 2) Execution Date  
Month Day Year

## Receiving Party

- ☐ Mark if additional names of receiving parties attached

Nam (line 1)  Esperion LUV Development, Inc.Name (line 2) Addr ss (line 1)  3621 South State StreetAddr ss (line 2) Address (line 3)  Ann Arbor  Michigan  48108

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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PCT

PCT

PCT

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PCT

**Number of Properties**

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**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:  
Deposit Account

Enclosed ☒

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes ☒

No ☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Patrea L. Pabst

Name of Person Signing

Reg. No.: 31,284

Signature

Date

3/18/99

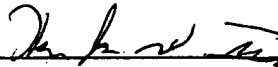
## ASSIGNMENT

I, Kevin Jon Williams, of 425 Wister Road, Wynnewood, Pennsylvania 19096, for good and valuable consideration paid to me by Esperion LUV Development, Inc., a corporation of the state of Delaware, having its principal place of business at 3621 South State Street, Ann Arbor, Michigan 48108, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Esperion LUV Development, Inc., its successors and assigns, my entire interest for the United States of America and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in "*Liposomal Compositions, and Methods of Using Liposomal Compositions to Treat Dislipidemias*" described and claimed in U.S. Patent Application No. 09/924,222 filed in the United States Patent and Trademark Office on August 7, 2001, by Wendi V. Rodriguez, Kevin Jon Williams, and Michael J. Hope, which is a continuation-in-part of U.S. Patent Application No. 09/322,336 filed in the United States Patent and Trademark Office on May 28, 1999, which is a continuation of U.S. Patent Application No. 09/175,553 filed October 20, 1998, now U.S. Patent No. 6,139, 871, which is a continuation of U.S. Patent Application Number 08/507,170 filed July 26, 1995, now abandoned, which is a continuation of U.S. Patent Application No. 08/206,415 filed March 4, 1994, now abandoned; and which is also a continuation-in-part of U.S. Patent Application No. 09/071,974 filed May 4, 1998, which is a divisional of U.S. Patent Application No. 08/728,766 filed in the United States Patent and Trademark Office on October 11, 1996, now U.S. Patent No. 5,746,223, which claims priority to U.S. Provisional Patent Application No. 60/005,090 filed in the United States Patent and Trademark Office on October 11, 1995, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon.

continued on page 2

ASSIGNMENT


WITNESS my hand and seal this 28<sup>th</sup> day of January, 2002.

  
Kevin Jon Williams

Commonwealth of Pennsylvania )

County of Montgomery )

Then personally appeared the above named Kevin Jon Williams and acknowledged the foregoing instrument to be his free act and deed, before me this 28<sup>th</sup> day of January, 2002.

  
Notary Public

My Commission expires: \_\_\_\_\_

